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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,253	03/31/2004	Victoria V. Genovker	1020.P18643	9848

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EXAMINER	
GOODCHILD, WILLIAM J	
ART UNIT	PAPER NUMBER
2145	
MAIL DATE	DELIVERY MODE
03/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/816,253	GENOVKER ET AL.	
	Examiner	Art Unit	
	WILLIAM J. GOODCHILD	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/10/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Feuerstraeter et al., (US Patent No. 6,584,109), (hereinafter Feuerstraeter).

In reference to claims 1, 9, 14 and 20, Feuerstraeter teaches a method / system comprising: locating a plurality of devices connected to a fabric [column 4, lines 28-30, "If there is no common technology detected… then the Auto-Negotiation protocol will not make a connection" and column 7, lines 1-4, "The Auto-Negotiation program… detects the various modes that exist in the device": these two citations indicate that there is a device detection protocol and this corresponds to the device location of column 4, lines 43-51, "connecting devices… to a first backplane… and a port switching fabric": this passage discloses the connection to a fabric]; collecting capability information for each device [column 4, lines 28-30, "If there is no common technology detected… then the Auto-Negotiation protocol will not make a connection" and column 7, lines 1-4, "The Auto-Negotiation program… detects the various modes that exist in the device", this

discloses the collection of device mode information and thus of device capability information]; updating a capability table with said capability information [this feature is implicitly disclosed since the continuous application of the previous two steps implies that the detected device capability information has to be stored in a list and since every new device detection derived by the previous two steps automatically leads to an update of the stored list]; and configuring each device with fabric information [column 3, lines 37-45, "allows… automatic configuration"].

In reference to claims 2 and 21, Feuerstraeter teaches the method / system of claims 1 and 20 wherein: said collecting comprises collecting capability information for a plurality of devices in parallel [column 3, lines 37-46].

In reference to claims 3 and 22, Feuerstraeter teaches the method / system of claim 1 and 20 wherein: determining whether capability information for a device has already been collected [column 4, lines 52-55, column 7, lines 1-11 and col4, lines 28-30]; and collecting capability information for said device in accordance with said determination [column 4, lines 52-55, column 7, lines 1-11 and col4, lines 28-30].

In reference to claims 4 and 23, Feuerstraeter teaches the method / system of claims 3 and 22 wherein: reading a set of capabilities for said device [column 7, lines 1-11 and column 9, lines 22-34]; determining whether there are any reference tables associated

with said capabilities [column 7, lines 1-11 and column 9, lines 22-34]; and reading said reference tables [column 7, lines 1-11 and column 9, lines 22-34].

In reference to claims 5 and 24, Feuerstraeter teaches the method / system of claim 4 and 23 wherein: detecting that all of said capabilities for said device have been read [column 9, lines 22-34]; determining whether said device connects to any other devices [column 4, lines 28-30]; and reading a set of capabilities and associated reference tables for said other devices if said device connects to said other devices [column 4, lines 20-27].

In reference to claim 6, Feuerstraeter teaches the method / system of claim 1 wherein: said configuring comprises configuring at least one capability with said fabric information [column 4, lines 20-27].

In reference to claim 7, Feuerstraeter teaches the method / system of claim 1 wherein: detecting that capabilities information has been read for all devices connected to said fabric [column 4, lines 53-55]; creating a connection table for said plurality of devices; and communicating information between said devices using said fabric and said connection table [column 4, lines 44-52].

In reference to claim 8, Feuerstraeter teaches the method / system of claim 1 wherein: said collecting and configuring is performed using protocol interface packets as defined by an Advanced Switching Specification [column 6, line 60 – column 7, line 1].

In reference to claims 10 and 15, Feuerstraeter teaches the method / system of claims 9 and 14 wherein: at least one device comprises a single board computer [column 6, lines 7-17].

In reference to claims 11 and 16, Feuerstraeter teaches the method / system of claims 9 and 14 wherein: said communications fabric is arranged in accordance with an Advanced Switching Specification [column 6, line 60 – column 7, line 1].

In reference to claims 12 and 17, Feuerstraeter teaches the method / system of claims 9 and 14 wherein: said fabric management module comprises a fabric discovery module to locate said plurality of devices connected to said communications fabric [column 4, lines 28-30, column 7, lines 1-4 column 4, and lines 43-51], said fabric discovery module to collect a set of capability information for each device [column 4, lines 28-30 and column 7, lines 1-4], and to configure each device with fabric information [column 3, lines 37-45, "allows… automatic configuration"].

In reference to claims 13 and 18, Feuerstraeter teaches the method / system of claims 12 and 17 wherein: said fabric management module comprises a capability database

connected to fabric discovery module, said capability database to store a record for each device [this feature is implicitly disclosed, column 4, lines 28-30, column 7, lines 1-4 column 4, and lines 43-51].

In reference to claim 19, Feuerstraeter teaches the method / system of claim 17 wherein: said fabric discovery module generates a connection table for said plurality of devices, with said connection table having a path between each pair of devices connected to said communications fabric [column 7, lines 5-18].

Response to Arguments

1. Applicant's arguments filed 01/15/2008 have been fully considered but they are not persuasive.

A – Applicant argues "Feuerstraeter, however, fails to disclose a list or table that is used to store the capabilities of a device connected to a fabric."

A – Feuerstraeter discloses that each connection is maintained until the connection is broken [Feuerstraeter, column 7, lines 5-11]. In order for a device to maintain a connection and know the details of the connection, it must store the connection / details in a memory, even if the stored data is only temporary until the connection is broken. If there is data stored in memory and there are multiple connections then there is a list of the connections and details of the connections.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 9:00 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WJG
03/20/2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145